



Attorney Docket # 4271-30PRCE2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Stefan SPIESS et al.

Serial No.: 09/806,558

Filed: March 30, 2001

For: Pharmaceutically Active Plant Preparation for the
Treatment of Migraine

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Examiner: C. Tate
Group Art: 1651

I hereby certify that this correspondence is being
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June 30, 2004

(Date of Deposit)

Vincent M. Fazzari

Name of applicant, assignee or Registered Representative

Vincent M. Fazzari
Signature

June 30, 2004

Date of Signature

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

S I R:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from
the decision dated December 31, 2003 of the Primary Examiner twice or finally rejecting claims
15-40.

The items checked below are appropriate:

1. ☒ The time for response to the Office Action of December 31, 2003 expires on June 30, 2004.
2. ☐ A -month extension of time for response to the Office Action dated was filed on .
[No additional extensions of time are required.]

07/06/2004 AWONDAF1 00000032 09806558

01 FC:1401
02 FC:1253

330.00 OP
950.00 OP

- 3a. ☒ Applicant(s) hereby request(s) a three-month extension of the original shortened statutory response period set in the Office Action of December 31, 2003. A check in the amount of \$950.00 in payment of the government fee for an extension of time is enclosed herewith.
- 3b. ☐ This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . A check for the additional extension fee of \$ is enclosed.
4. ☒ Check for payment of the appeal fee of \$330.00
☒ is enclosed herewith.
☐ No additional fee is required (fee paid in prior appeal).
☐ Charge the fee to Deposit Account No. 03-2412 (one additional copy of this Notice is enclosed herewith).
5. ☒ Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid by check, to Deposit Account No. 03-2412. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE

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Dated: June 30, 2004